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United Nations Verification Mission in Guatemala

Report of the Secretary-General

Summary

By its resolution 58/238 the General Assembly requested a final report on the activities of the United Nations Verification Mission in Guatemala. I submitted a final substantive report on the Guatemalan peace process in my ninth report to the General Assembly on the implementation of the peace agreements (A/59/307). The present report marks the end of 10 years of verification by the United Nations of the peace agreements ending Guatemala's long civil conflict. It summarizes the Mission's work on each of the agreements and outlines its two-year transition programme designed to ensure continuity in the peace process beyond the end of the mandate.

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I. Introduction

1. The United Nations Verification Mission in Guatemala (MINUGUA) completed operations on 31 December 2004, after 10 years of support to the Guatemalan peace process. This end-of-mission report, prepared at the request of the General Assembly, describes the work of MINUGUA throughout the various stages of the peace process and of the Mission. It pays special attention to the innovative transition strategy during the Mission's last two years, designed to build national capacity to promote the peace accords agenda after departure of MINUGUA.

II. Overview

2. MINUGUA began operations on 21 November 1994 under the terms of the Comprehensive Agreement on Human Rights, which was signed eight months earlier between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG). The accord committed both parties to respect international human rights standards and invited the United Nations to deploy a verification mission that would observe compliance with those commitments and, through its presence on the ground, help to build confidence in ongoing peace negotiations that were being moderated by the United Nations.

3. For more than two years, until the signing of the final peace agreement at the end of 1996, MINUGUA verified human rights amid the armed conflict and the polarized political situation it engendered. Major incidents during that period prompted concern and brought MINUGUA verification into the national spotlight. An army massacre in a community of returned refugees in 1995 and a 1996 kidnapping by URNG were grave breaches of the human rights agreement, which threatened, each in its own way, to undermine the peace talks.

4. Perhaps the most difficult challenge for MINUGUA was to operate in the complex multi-ethnic, multicultural and multilingual environment of Guatemala, with its deeply entrenched racism and abandonment of the nearly two dozen Mayan, Xinca and Garifuna indigenous communities that comprise at least half the population. Inserting itself effectively into this context required great cultural sensitivity on the part of MINUGUA, which made use of national indigenous staff and translators able to explain the peace accords and the mandate of the Mission and to take complaints in indigenous languages.

5. Although the Mission verified continuing abuses during that first period, some very serious, its presence generally had a dissuasive effect, contributing to a steady decline in violations from the time of its arrival through a ceasefire and the final signing of the peace agreement.[1] Human rights activists and members of rural communities who had been targeted during the conflict saw the Mission as a source of protection. A network of field offices throughout the country brought the Mission in direct contact with the population, permitting individuals to lodge complaints against the security forces and URNG members. The complaints were verified by MINUGUA teams, whose work was the basis for regular reports to the General Assembly. These reports fostered a public debate on human rights, demonstrating that the peace process was opening political space in the country. The Mission also set up a trust fund to support technical assistance programmes with national justice

and human rights institutions, in keeping with its mandate to cooperate with national entities for the effective protection and promotion of human rights.

6. MINUGUA relied heavily on the United Nations Volunteers (UNV) programme throughout the life of the Mission. The first contingent of human rights observers included 72 UNVs. In all, more than 430 international and Guatemalan personnel served in various professional capacities under the umbrella of the UNV programme. The decision to employ such a large number of human rights observers, public information specialists and other staff from this programme was debated at the outset of the Mission, but it quickly proved to be a success. While retaining their volunteer spirit, UNVs worked with the utmost professionalism as they carried out the core functions of the Mission.

7. The signing of the Agreement on Firm and Lasting Peace on 29 December 1996 marked the end of 36 years of conflict and signalled a new phase in the life of MINUGUA. The mandate of the Mission expanded beyond human rights to the verification of a wide-ranging package of accords designed to overcome the economic, social, political and cultural root causes of conflict. With the change in mandate, MINUGUA expanded and broadened its expertise accordingly, adding specialists in indigenous affairs, macroeconomic and fiscal policy, labour issues, land rights and agrarian policy, military and public security reform, and gender issues, among others. Senior advisers were named to head thematic departments within MINUGUA dedicated to verifying progress in four main substantive areas of the peace agreements: human rights, indigenous affairs, demilitarization and the strengthening of civilian authority, and socio-economic aspects and the agrarian situation. The number of national and international staff grew from 320 in 1995 to a high of 532 in 2000.[2]

8. Peace also brought with it the immediate task of verifying the ceasefire and the demobilization, disarmament and reintegration of nearly 3,000 URNG combatants, as well as some military units disbanded under the agreements. Those tasks were carried out by a contingent of 145 military observers and medical personnel authorized by the Security Council as an adjunct to MINUGUA. The Military Observer Group, composed of representatives of 16 Member States, completed its work in May 1997.[3] The Mission also verified commitments to assist returned refugees and internally displaced persons.

9. Tragedy struck the Mission when a United Nations helicopter crashed in the mountains of the department of Huehuetenango on 17 March 1998, killing seven MINUGUA officials and their Guatemalan pilot. Those killed in the accident were being transported to and from workshops on the peace accords in remote indigenous communities.

10. After verifying the operational aspects associated with the end of the fighting and the resettlement of former insurgents and displaced persons, MINUGUA accompanied Guatemala through a second and even more difficult phase of the peace process that continues today. This phase encompassed medium- and long-term commitments requiring authorities, in consultation with civil society, to create and reform institutions, to enact legislation and to develop a wide array of polices and programmes for addressing the underlying causes of the conflict. Thirteen agreements and more than 300 commitments constituted a broad and comprehensive blueprint for change. As detailed in section III below, the Mission produced and disseminated a wide range of reports based on its verification. MINUGUA also

helped to channel technical assistance to priority areas, and provided good offices in diverse circumstances. Public information efforts were aimed at educating Guatemalans about the peace process and the work of the Mission. In pursuing the goals of the peace accords, MINUGUA also cooperated closely with the United Nations system in Guatemala and the donor community in general to ensure that available funds and intergovernmental dialogue would be directed towards advancing the peace agenda.

11. While many in Guatemalan society welcomed the presence of the Mission, MINUGUA faced tough criticism at times. For some conservative elements, MINUGUA represented the visible face of a peace process they perceived as detrimental to their interests. MINUGUA was harshly questioned when it opposed reinstating the death penalty in Guatemala in response to a post-conflict surge in violent crime. The 1998 assassination of Roman Catholic Bishop Juan Gerardi, only days after he published a report on wartime atrocities, raised fears of a return to the repression of the past and handed MINUGUA one of the most sensitive human rights cases the Mission would ever verify. In 1999, opponents of the peace accords orchestrated a successful public campaign to defeat a referendum to enshrine key aspects of the peace accords in the Guatemalan Constitution. This setback forced MINUGUA and others to re-examine strategies for promoting accords implementation. Political tensions surged again during the 2003 presidential election, which concluded peacefully following bouts of violence and fears of fraud aroused by the candidacy of former military ruler Efrain Rios Montt.

12. All told, MINUGUA spanned four civilian Administrations and was present through three national elections that contributed, cumulatively, to consolidating democracy and to cementing the peace accords within the national agenda. The Government of Ramiro de León Carpio, a former human rights ombudsman, signed the Comprehensive Human Rights Agreement and welcomed MINUGUA into the country. The expansion of the mandate came during the 1996-2000 administration of Alvaro Arzú, which signed the final peace agreements with URNG and took the first steps towards implementing the broad package of accords. The administration of Alfonso Portillo, elected in 1999, gave way in January 2004 to the current administration of Oscar Berger. Each of those Governments cooperated with the Mission, accepting the sometimes uncomfortable degree of scrutiny that comes with international verification.

13. Under the terms of the final peace agreement, MINUGUA was to remain in Guatemala through 2000, by which time all of the commitments were to have been completed.[4] But with progress being slower than expected and events in Guatemala indicating that ongoing monitoring was necessary, MINUGUA received several extensions of its mandate, the final one coming at the end of 2003. This last one-year extension, through 2004, permitted an orderly phase-out of operations and a United Nations political presence through the elections and change in Government. The eight remaining field offices were closed between August and November 2004, leaving only a small headquarters staff at the end of the year and an administrative contingent through March 2005 in order to complete the liquidation process.

14. The Mission dedicated its final year to ensuring that peace priorities were reflected in the policies of the new Administration, while continuing, through its transition strategy, to build national capacities to promote and monitor peace accords implementation after its departure. The centrepiece of the transition effort

during the final year was the National Transition Volunteers Programme, described more fully below, through which 60 young Guatemalan professionals received on-the-job training within MINUGUA as verifiers and promoters of the peace accords. Also during the final period, each MINUGUA field office prepared an in-depth analysis of the state of peace implementation in its respective region, for use by newly elected authorities, civil society counterparts and regional staff of international cooperation agencies.

15. The formal public closure of the Mission took place on 15 November 2004 in a ceremony at the National Palace in Guatemala City, led by President Oscar Berger and attended by the Under-Secretary-General for Political Affairs, Kieran Prendergast. MINUGUA received Guatemala's highest civilian honours, the Order of the Quetzal, in recognition of its work. President Berger declared that peace would not have been possible without the contributions of MINUGUA and the United Nations.

III. Carrying out the mandate, 1996 to 2004

16. MINUGUA was empowered under the peace accords with four essential functions: verification, technical assistance, good offices and public information.[5] This section provides a brief synopsis of the work of the Mission in these different areas of the mandate.

A. Verification

17. The results of MINUGUA verification can be found in the numerous reports generated by the Mission over the course of 10 years on the full range of topics covered by the peace accords. They include 23 reports of the Secretary-General to the General Assembly, as well as many other documents and statements issued by the Mission only in Guatemala.[6] The voluminous body of work of MINUGUA has heavily influenced the public debate, providing Guatemalan actors and the donor community with informed diagnoses and recommendations for reforming Government policies and institutions in the spirit of the peace accords. Verification also served its essential purpose of creating pressure for the parties to comply with their commitments. The existence of an impartial verifier helped to lessen controversy when accusations of breaches arose. Credibility established through verification also helped build confidence among the Guatemalans that MINUGUA could play an informed and effective good-offices role.

18. Human rights verification was in many ways the signature activity of MINUGUA, given its origin as a human rights mission, the centrality of human rights to the peace accords and Guatemala's active community of non-governmental human rights organizations. The Comprehensive Agreement on Human Rights was the only one of the substantive agreements to be the subject of regular, stand-alone reports to the General Assembly. In addition to the 14 MINUGUA human rights reports and their supplements detailing the verification of individual cases, the Mission issued thematic reports on the judiciary (2000), the prison system (2000) and lynchings (2000, 2002). During 2004, MINUGUA issued a major report analysing the state of implementation of the recommendations of the Historical Clarification Commission, which completed its work in 1999. MINUGUA also

issued a report on the state of the judicial processes in cases of the more than 600 massacres confirmed by the Historical Clarification Commission in its final report.

19. MINUGUA human rights verification was systematic, and anchored in the receipt and investigation of individual complaints through the Mission's nationwide network of field offices. Standardized procedures were established in a verification manual. Confidential information was managed in an advanced computerized database developed by the Mission. As the gravest human rights violations diminished with the end of the conflict, the MINUGUA caseload focused more heavily on the due process violations at the heart of Guatemala's entrenched problem of judicial impunity. Verification in this area permitted MINUGUA to follow the course of major human rights cases in the courts and to offer well-informed analyses of the deficiencies within the different institutions composing the justice system. MINUGUA attached high priority throughout its mandate to defending human rights monitors, who were still subject to periodic threats and harassment after the end of the conflict.

20. In the area of demilitarization, MINUGUA verified some of the most important institutional reforms of the peace accords, contained in the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society. Those reforms included the demobilization and disarmament of URNG; the creation of the new National Civilian Police; reductions in the armed forces and their redeployment for peacetime purposes; and changes to the army's mission, doctrine and educational system, bringing them into accordance with human rights norms. At MINUGUA headquarters and in the field, military and police observers worked alongside civilian monitors to verify compliance with the various commitments. The Mission's military experts provided technical support for exercises in civil-military dialogue, which were important in developing consensus on reforms, including the aforementioned army doctrine, a National Defence White Book, approved in 2003, and a new disciplinary regime for the National Civilian Police.

21. The published results of MINUGUA verification in this area can be found in annual reports of the Secretary-General and in numerous thematic reports — on the status of army reforms (2002), on public security and the development of the National Civilian Police (1999, 2001 and 2003) and on regulating illegal firearms (2002) and private security firms (2002). In a report issued in early 2004, MINUGUA verified the dismantling of the Presidential General Staff, a notorious presidential guard that had become a symbol of human rights abuses, corruption and military control over the presidency. MINUGUA recommendations were influential in the design of the Advisory Council on Security, a civilian presidential advisory body created in 2004 in accordance with the peace agreements.

22. Verifying the Agreement on Identity and Rights of Indigenous Peoples, signed in March 1995, posed dilemmas for the Mission, which tried different approaches in search of the most effective response to this complex issue. In part owing to low numbers of complaints from individuals, an initial decision to verify the indigenous agreement via a case-based approach was eventually discarded in favour of analysing broad situations illustrative of patterns of discrimination in society. The work of MINUGUA in this area confirmed discriminatory practices such as sexual harassment against indigenous women; denial of justice in indigenous languages; impediments to the practice of indigenous spirituality; restricted access for the

indigenous to communications media; and non-recognition of communally owned lands and traditional law. Much of that analysis is contained in a 2001 report entitled "Guatemala's Indigenous Peoples: Overcoming Discrimination under the Framework of the Peace Accords".

23. The Mission worked closely with representatives of indigenous groups to strengthen their participation in joint civil society-Government commissions set up under the peace accords to ensure that proper consultations took place between the State and indigenous communities in designing policies for their benefit. The Mission verified the functioning of the many commissions, but also their decline following the defeat of the 1999 referendum that would have established in the Constitution that Guatemala is a multi-ethnic, multilingual and multicultural State.

24. During 2002, MINUGUA verified passage of legislation making racial and other forms of discrimination crimes in the Guatemalan penal code for the first time. Some indigenous organizations argued that the peace accords had been violated in spirit, because the new law grouped the problem of indigenous people with that of other groups in society — women, for example — who are also victims of discrimination. MINUGUA verified gradual expansion in bilingual education and in the accessibility of the justice sector to those speaking indigenous languages. But despite those and other advances, MINUGUA reports frequently referred to the Agreement on indigenous peoples as the area of least progress within the peace accords. In its final period, MINUGUA devoted much of its effort in that area to supporting grass-roots efforts to build national organizations that could effectively represent the interests of indigenous groups before the national Government. Such efforts are still incipient.

25. The Agreement on Social and Economic Aspects and the Agrarian Situation expanded MINUGUA verification into a vast subject area. The results can be seen in the reports of the Secretary-General and in special thematic reports on land issues (2000), rural development and natural resources (2000), labour rights (2000), housing (2001), women (2001), tax reform (2001) and education reform (2002). A MINUGUA report was influential in Government-civil society discussions aimed at producing a consensus-based rural development policy, as called for in the peace accords. The Mission's annual analyses of the national budget influenced the work of the Congress and the peace accords Follow-Up Commission, confirming military spending excesses and deficits in peace accords priority areas such as education, health and the justice system. A verification report produced in early 2004 confirmed a sharp increase in violent land evictions, with resulting humanitarian problems. The report helped to focus governmental attention on the problem and to generate assistance to poor persons left homeless by the evictions.

B. Technical assistance

26. MINUGUA carried out its mandate to provide technical assistance at different levels, informally, in its day-to-day relationships with national institutions and civil society and through specific projects financed through the Trust Fund for the Guatemalan Peace Process. Cooperative relationships with State institutions that received assistance did not result in any loss of critical distance in the Mission's verification and reporting about the performance of those institutions. In fact, MINUGUA verification reports fed directly into the capacity-building efforts by

providing diagnoses of deficiencies within national institutions that were useful in designing reform plans. As described more fully below, the transition strategy employed during the Mission's final two years involved sharing Mission know-how with national counterparts to improve their capacity to promote peace accords implementation in the future.

27. Trust Fund donations totalled $19.8 million. The funds came from voluntary contributions from nine Member States: Belgium, Canada, Denmark, Germany, the Netherlands, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

28. Nearly half of the Trust Fund — 45 per cent — was used for projects to strengthen the justice sector and the defence of human rights. Those funds were directed mostly towards strengthening major State institutions, such as the Public Ministry, the Public Defenders Office, the Judiciary School, the Office of the Human Rights Ombudsman and the penitentiary system. Justice administration centres were set up as model projects in three municipalities with mostly indigenous populations to improve access to the justice system.

29. Roughly one fifth of the funds — 21 per cent — went to improving public security through diverse projects to strengthen the newly created National Civilian Police. A large portion of those funds went to the Police Academy and human rights training, to creating administrative controls within the police force and to increasing the numbers of indigenous people in the police force.

30. About 13 per cent of the funds was used to promote the many legislative reforms contemplated in the peace accords, through the Programme of Institutional Assistance for Legal Reform (PROLEY) project. That project, created in 1996, continued through the end of the Mission, working closely with the Congress to advance the broad legislative agenda of the peace accords. PROLEY provided indispensable technical and political support to members of Congress, political parties, the peace accords Follow-Up Commission, civil society organizations and MINUGUA itself.

31. Another 10 per cent of funds supported the public information work of the Mission, described in fuller detail below. MINUGUA used the funds to finance hundreds of events throughout the country on the peace accords, prepare publications, materials and campaigns on the peace process and train journalists.

32. About 7 per cent of the Trust Fund resources went to support implementation of the Agreement on Social and Economic Aspects and the Agrarian Situation. Especially important in that regard were projects on labour rights and land conflicts and to support the organizational capacity of displaced populations.

33. Outside the realm of the Trust Fund, MINUGUA staff worked continuously to educate counterparts in human rights and other areas of the peace agreements. Field offices carried out large numbers of training seminars for military, police and justice officials, as well as mayors and other local authorities. The field offices also helped local civil society organizations to participate in development policy debates occurring within a system of local development councils strengthened under the peace agreements.

34. In providing technical assistance, MINUGUA coordinated its activities with the United Nations system, whose agencies, funds and programmes were

simultaneously providing cooperation in many of the key areas of the peace accords. A MINUGUA-United Nations Development Programme (UNDP) Joint Unit functioned intensively during the start-up phase of the Trust Fund. MINUGUA staff participated actively throughout the Mission in United Nations thematic working groups, for example, on justice and multicultural issues. MINUGUA also participated extensively in the common country assessment/United Nations Development Assistance Framework process led by UNDP. The Special Representative of the Secretary-General and the United Nations Resident Coordinator met regularly to coordinate activities and exchange information.

35. MINUGUA participated in efforts of the broader donor community to support institutional reforms and press for the implementation of the peace accords. The Head of Mission participated actively, as an observer, in the Dialogue Group of major donors, which became the principal in-country forum for donor coordination and dialogue with the Government of Guatemala. MINUGUA verification reports were an important reference point for participants in the 2002-2003 Consultative Group meetings, which focused national and international attention on the implementation of the peace agreements.

C. Good offices

36. The MINUGUA good offices mandate was an outgrowth of the United Nations role in moderating the peace negotiations. Yet during the 10 years that MINUGUA was in the country that role evolved considerably beyond the provision of good offices between the two parties to the accords, the Government and URNG. MINUGUA was seen as an impartial entity within a conflictive and often distrustful national political environment. State institutions remained weak and, as a result, there were continuous demands on the Mission to provide good offices in situations of all kinds. MINUGUA tried to exercise that role in a way that would not create excessive dependency on the Mission. The Mission consciously scaled back its good offices role during its final phase, as part of the transition strategy.

37. An important arena for good offices at the national political level was the peace accords Follow-Up Commission, set up to help the Government and URNG work out differences that arose over the implementation of the peace agreements. MINUGUA had held a non-voting seat on the Commission since its creation in 1997, helping, by its presence, to encourage compromise between the parties. MINUGUA supported discussions that led to the Fiscal Pact signed in 2000 under the auspices of the Commission, a historic exercise in consensus-building among the Government, civil society and the private sector. MINUGUA also participated as an observer in the National Peace Accords Commission, created in 2004, to replace the peace accords Follow-Up Commission.

38. More recently, MINUGUA good offices were important in the negotiations between human rights organizations and the Government, which led in 2003 to agreement on the design of a national reparations programme for the victims of human rights violations committed during the armed conflict. MINUGUA hosted and provided technical advice during consultations, which paved the way for that key programme envisioned by the peace accords.

39. MINUGUA field offices exercised good offices on countless occasions. Actors at the local level took extreme measures at times to express grievances, often after

deciding that State institutions were incapable of providing redress. The response of the Mission in such situations, including the lynching of alleged criminals, violent land and electoral conflicts and the taking hostage of local officials, undoubtedly helped lower tensions and may have saved lives in some instances. During 2004, while generally scaling back its good-offices efforts, MINUGUA worked with others to secure the release of journalists held by former civil patrollers and staff of the Office of the Human Rights Ombudsman in separate incidents.

D. Public information

40. MINUGUA public information efforts were essential for building public support for the peace accords and explaining the MINUGUA mandate. Despite broad participation in the peace negotiations by organized groups of civil society, the Guatemalan general public was largely uninformed about the peace process and unaware of the content of the agreements when they were signed.

41. The MINUGUA Public Information Office oversaw a substantial public education effort in which Mission staff gave informative talks and workshops about the peace accords in communities all around the country. The peace agreements and materials about MINUGUA were translated into the most commonly spoken indigenous languages. The Mission also worked with interpreters hired to facilitate the workshops and, more generally, to establish relations with the different ethnic communities. The outreach effort made during the Mission's first few years was crucial in cultivating interest in the peace process at the local level and encouraging victims of human rights violations to file cases with the Mission.

42. In response to international staff reductions that began in 2000, much of MINUGUA public information work was sustained by Guatemalans hired as United Nations Volunteers, funded fully by the Government of Ireland. The use of national UNVs in the public information area was the model on which MINUGUA later based the National Transition Volunteers Programme, which functioned during 2004.

43. In communicating its message, MINUGUA worked extensively with radio and television, the principal means by which the vast majority of Guatemalans receive their information. Community-level radio stations were targeted in particular, with informative spots produced in indigenous languages. A series of short television programmes, which aired widely during 2003 and 2004 under the title "Faces of Peace", dealt with difficult topics such as racism and discrimination, and was well received in the country.

44. During its final two years, and following some difficult experiences, MINUGUA reached out more systematically and effectively to the national news media as an essential partner in creating a favourable political environment for the peace process. Improved relations with newspapers, television and radio stations resulted in expanded and more sympathetic coverage of the Mission and its statements and reports, ultimately to the benefit of the peace process.

45. Over 10 years the Mission accumulated more than 24,000 photo images reflecting the different stages of the peace process and the work of MINUGUA. Selected photographs were published in catalogue form and also converted into a travelling exhibit shown at each field office and at United Nations Headquarters,

before being donated to the national university. The bulk of the photos will remain in Guatemala in the care of a regional research centre that holds important historical archives.

46. For continued use by interested parties, the MINUGUA Internet page containing reports, selected photographs and much of the audio and visual material produced by the Mission over the years will be maintained by the Department of Public Information (see www.un.org). The entire content of that Internet page (www.minugua.guate.net) has been distributed in the form of an interactive CD-ROM to Guatemalan research centres, libraries and other groups and institutions involved in the peace process.

IV. The transition programme

47. Well before the end of the mandate, MINUGUA began to analyse the possible effects of its withdrawal from Guatemala and to examine what could be done during its final years to lessen the potential impact and contribute to the long-term consolidation of the peace process. To address those challenges, MINUGUA established a special Transition Unit in 2002, headed by a senior officer reporting to the Head of Mission. That unit provided strategic guidance and coordinated key pieces of a transition programme for the Mission. The strategy that was developed grew out of a conviction that the long-term success of the Guatemalan peace process depends on Guatemalan institutions — both State and civil society — and on their commitment to the peace accords. It emphasized national capacity-building and sharing the Mission's accumulated experience and know-how with the Guatemalan institutions and organizations that can make a difference in building peace in the future.

48. The transition programme involved the entire Mission, both at headquarters and in the field offices. It required important political and operational changes within the Mission, in at least three main areas. First, it meant that MINUGUA must progressively lower its own political profile and gradually scale back its good-offices role, while encouraging Guatemalans to take a stronger lead in publicly demanding compliance with the accords and in resolving conflicts. It also required that staff focus less on verification and reporting, and more on strengthening the skills of national counterparts to carry out these functions. Decentralization was a guiding principle, as the field offices were given much wider discretionary authority to define their priorities and adapt the general strategy to meet the needs in each particular local context.

49. In trying to strengthen national capacities, MINUGUA emphasized the direct efforts of its own substantive staff, rather than relying on the usual mechanism of donor-funded technical assistance projects that use outside consultants. MINUGUA staff identified the Mission's technical resources that would be most important for national counterparts, and then developed the appropriate training and reference materials, producing book-length resource materials that draw heavily on the 4,500 cases of human rights violations investigated by the Mission and on its many situational studies regarding peace accords issues.

50. The Mission developed and distributed digitalized document collections on human rights, justice sector reform, land issues and the history of the peace process. In addition, MINUGUA worked closely with Guatemala's national university to

create a specialized Peace Library, built around non-confidential documents and reference materials provided by the Mission.

51. A major emphasis was on strengthening the Office of the Human Rights Ombudsman, especially its field offices. During 2003 the Mission carried out an intensive capacity-building programme for that institution, which has a constitutional mandate to monitor human rights. Mission staff conducted dozens of decentralized training workshops, using the materials developed on human rights monitoring, conflict analysis and the content and status of the peace accords. MINUGUA worked with the Office of the Human Rights Ombudsman in many ways, sharing databases and methodologies, discussing cases and conducting joint verifications. In addition, the Mission's field offices facilitated an increased role of the Office of the Human Rights Ombudsman in round tables and other participatory forums that MINUGUA fostered over the years to address human rights, justice and other peacebuilding problems at the local level.

52. MINUGUA also provided training and in-depth information to a variety of civil society organizations focusing on issues related to the peace accords, assisting and advising them on matters ranging from indigenous peoples' rights to the formulation of local development agendas, to citizen oversight techniques and to improving advocacy strategies. Using the materials developed for the Office of the Human Rights Ombudsman, MINUGUA provided human rights verification training for dozens of local organizations. As part of that effort, the Mission developed and installed a database for managing human rights complaints in more than 40 organizations around the country linked to a growing network of human rights defenders.

53. In late 2003, MINUGUA created a special on-the-job training programme to incorporate 60 young Guatemalan professionals, as United Nations Volunteers, into the Mission's substantive work in its final year. These National Transition Volunteers completed their service in November 2004, having successfully carried out work previously done only by internationals. That was one of the most successful initiatives undertaken by MINUGUA, which could potentially be replicated in other Missions.

54. In recruiting the National Transition Volunteers, the Mission made a concerted effort to identify indigenous and women candidates from all regions of the country who would be likely to go back to their communities and parent institutions after the closure of MINUGUA and take with them its work methods and know-how. The Mission structured internships for the National Transition Volunteers at State and civil society institutions for the final months of the project, with the possibility in a number of instances of conversion to long-term appointments. State and civil society institutions that housed National Transition Volunteers as interns included the Presidential Human Rights Commission, the Presidential Department for Legal Assistance and the Settlement of Land Disputes, the National Planning Ministry, the Presidential Commission against Discrimination and Racism, the Indigenous Women's Defence Board and several non-governmental human rights organizations.

55. Donor support was critical throughout the transition process. Several countries that had provided funds in the past to the MINUGUA Trust Fund gave their permission for the use of unspent balances from those earlier donations to support the National Transition Volunteer Programme, as well as other initiatives such as the National University Peace Library and the production of digitalized reference

collections. The Mission was thus able to carry out these very important components of the transition plan without having to seek additional voluntary contributions in this final period.

56. The transition strategy also included efforts to ensure continued accompaniment by the United Nations and other international actors on key issues such as human rights and indigenous peoples' rights. In particular, the Mission strongly supported the efforts to establish an office in Guatemala of the Office of the United Nations High Commissioner for Human Rights, to ensure continued technical assistance and international observation of human rights following the termination of MINUGUA. An agreement establishing that office awaits congressional ratification.

57. MINUGUA participation in elaborating the common country assessment and the United Nations Development Assistance Framework process should help ensure a continued focus on peace accords objectives by the United Nations system. MINUGUA also worked with UNDP and the specialized agencies, funds and programmes in Guatemala to develop indicators for their use in future reporting on pending socio-economic aspects of the accords. Finally, throughout the transition, MINUGUA worked closely with the country team to ensure continuity on key technical assistance projects, especially on land issues, citizen participation, public security and the justice sector.

58. MINUGUA made transition the guiding philosophy of its work for the final two years of the Mission. With this early focus on defining a transition strategy and with the concerted involvement of all parts of the Mission in its implementation, MINUGUA hopes that the effort will bear fruit for Guatemala long after the Mission has closed.

V. Acknowledgements

59. The departure of MINUGUA closes an important chapter in the United Nations long and fruitful involvement in the pursuit of peace in Central America. With the end of international verification, the Guatemalan peace process has matured into a new and important phase in which national actors are assuming fuller responsibility for monitoring and promoting the goals of the peace accords. Current and future United Nations operations can take away valuable lessons from the MINUGUA experience, which stands as a successful example of multidimensional peacebuilding.

60. MINUGUA would not have been able to play the role it did without the contributions of many. My appreciation goes first to the Government of Guatemala and to URNG, which entrusted to the United Nations the crucial and delicate function of impartially verifying their compliance with the peace agreements. That was not an easy decision to make, but it ultimately proved vital to the peace process.

61. Nor would MINUGUA have succeeded without the support of the Member States who authorized its deployment and its permanence through several mandate extensions. Special appreciation goes to the Group of Friends of the Guatemala peace process (the Bolivarian Republic of Venezuela, Colombia, Mexico, Norway, Spain and the United States of America), which invested their good offices in the negotiations and provided important political support to the Mission over the years.

Thanks also go to the many donors who contributed generously to the work of MINUGUA through projects of the Trust Fund and other means. The following countries sponsored UNVs in MINUGUA: Belgium, France, Ireland, Italy, Japan, the Netherlands, Norway, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland.

62. The Guatemalan people welcomed MINUGUA with open arms, standing by the Mission in difficult times and engaging actively in the peace process. Civil society organizations, in particular those dedicated to human rights and the defence of victims of the armed conflict, were crucial sources of information and pillars of support and trust at the same time. The positive changes that peace is bringing to Guatemala are the achievements of the Guatemalans. The role of MINUGUA was to accompany them in their efforts to build a better society.

63. MINUGUA staff, representing dozens of nationalities and fields of work, performed admirably under difficult circumstances. International staff and Guatemalan staff worked side by side in innovative ways. Each staff member contributed to the success of the Mission and to the advance of the peace process in Guatemala. Five Heads of Mission ably stewarded MINUGUA over the years: Leonardo Franco (Argentina), from 1994 to 1996; David Stephen (Great Britain), from 1996-1997; Jean Arnault (France), from 1997 to 2000; Gerd Merrem (Germany), from 2000 to 2002; and Tom Koenigs (Germany), from 2002 to 2004. The United Nations will always remember the ultimate sacrifice paid by those staff members who perished in service to MINUGUA.

Notes

[1] In 1996, the final year of the conflict, MINUGUA received 945 complaints of human rights violations, down from 1,595 in 1995, the first full year of the Mission.

[2] Staff levels for the final four years of the Mission were 291 (2001), 285 (2002), 239 (2003) and 164 (2004), including national and international personnel.

[3] For details of the work of the Military Observer Group, see S/1997/432.

[4] The original peace implementation timetable stretched from 1997 to 2000. At the end of 2000, the peace accords Follow-Up Commission (composed of Government, URNG and civil society representatives and MINUGUA) placed the outstanding commitments on a new calendar through the end of 2004.

[5] These four elements of mandate were established in the Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements, signed on 29 December 1996 along with the Agreement on a Firm and Lasting Peace.

[6] The Secretary-General issued nine annual reports on MINUGUA verification to the General Assembly on overall peace accords implementation and 14 reports on implementation of the Comprehensive Agreement on Human Rights.